

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PATRICIA PORTER KRYDER,)
)
Plaintiff,)
)
v.)
)
JAMES KEMMLER ROGERS and)
JENNIFER ROGERS-ETCHEVERRY,)
)
Defendants.)
)
)
JENNIFER ROGERS-ETCHEVERRY, as)
special administrator of the Estate of James)
Kemmler Rogers,)
)
Counter-Plaintiff,)
)
v.)
)
PATRICIA PORTER KRYDER f/k/a)
Patricia K. Ganier,)
)
Counter-Defendant.)

NO. 1:13-cv-00048
JUDGE RICHARDSON

AMENDED FINAL JUDGMENT

Pending before the Court are Defendant Rogers-Etcheverry's Motion for Entry of Amended Final Judgment (Doc. No. 262, "Motion") and several proposed Amended Final Judgments submitted respectively by the parties. The Motion is **GRANTED**, and the Court, having reviewed the competing proposed judgments, enters this Amended Final Judgment.

In accordance with the Court's prior Orders found at Doc. Nos. 178, 213, 214, 217, 241, 246, 248, 254 and 261, **JUDGMENT IS HEREBY ENTERED** in favor of Jennifer Rogers-

Etcheverry, as special administrator of the Estate of James Kemmler Rogers, against Patricia Porter Kryder f/k/a/ Patricia K. Ganier, on Count I of the Counter-Complaint (breach of contract) based on the \$100,000 Promissory Note dated April 16, 2010, payable on or before December 31, 2020 (“Promissory Note”), together with interest through July 31, 2018 in the amount of \$25,363.42, payable to Jennifer Rogers-Etcheverry, as special administrator for the Estate of James Kemmler Rogers, plus interest accruing from August 1, 2018, at a rate of four percent (4%) per annum thereafter, as set forth in the Promissory Note. *See* Doc. No. 217.

JUDGMENT IS ALSO HEREBY ENTERED in favor of Jennifer Rogers-Etcheverry, as special administrator of the Estate of James Kemmler Rogers, against Patricia Porter Kryder f/k/a Patricia K. Ganier, in the amount of \$302,168.82, for attorneys’ fees, expenses, and costs incurred by the Estate in its enforcement of the Promissory Note. *See* Doc. Nos. 241 and 261. Thus, the total monetary amount awarded in this Amended Final Judgment is \$327,532.24, representing unpaid interest, attorneys’ fees, expenses, and costs.

In addition, **JUDGMENT IS HEREBY ENTERED** in favor of Jennifer Rogers-Etcheverry, as special administrator of the Estate of James Kemmler Rogers, against Patricia Porter Kryder f/k/a Patricia K. Ganier, regarding Count III of the Counter-Complaint requesting an equitable lien. *See* Doc. No. 214. For the limited purposes of securing the principal indebtedness set forth in the Promissory Note (\$100,000) and securing the total amount of this Amended Final Judgment (\$327,532.24), this Amended Final Judgment shall include an equitable lien against the Giles County property of Patricia Porter Kryder f/k/a Patricia K. Ganier, located at 741 South Fork Blue Creek Road, Lynnville, Giles County, Tennessee 38472, and identified in the Promissory Note as “the same property conveyed to Maker by deed of record at Book 246, Page 760 in the Registrar’s Office of Giles County, Tennessee, Map 29, Parcel 10.01.” The equitable lien declared

herein against and on the above-described property relates back, for priority purposes, to April 16, 2010, the date of the Promissory Note. *See* Doc. No. 214.

Any post-judgment interest shall accrue from entry of this Amended Final Judgment and be calculated as provided in 28 U.S.C. § 1961. Post-judgment interest shall not accrue on the unpaid portion of the Promissory Note, as (per its own terms) it accrues interest at four percent (4%) per annum and the Promissory Note does not come due until December 31, 2020.

IT IS SO ORDERED.


ELI RICHARDSON
UNITED STATES DISTRICT JUDGE